

**Carson City
Agenda Report**

Date Submitted: November 25, 2013

Agenda Date Requested: December 5, 2013

Time Requested: 15 minutes

To: Mayor and Supervisors

From: City Manager

Subject Title: For Possible Action: To introduce on first reading, an ordinance amending the Carson City Municipal Code Title 2, Administration and Personnel, Chapter 2.34 Code of Ethics for Elected and Appointed Officials by repealing the entire chapter, and other matters properly related thereto.

Summary: On August 15, 2013, the Board of Supervisors appointed a committee to review Carson City's Code of Ethics, per a request from the 2012 Charter Review Committee. The Ethics Ordinance Review Committee spent hours comparing the Ordinance with the State Ethics Laws, including changes made in 2013, and arrived at the unanimous conclusion that the state laws offered more protection to the public and conflicted with the ordinance, causing confusion for all involved. The Committee voted 5-0 to recommend repealing the Carson City Municipal Code Title 2.

Type of Action Requested: (check one)

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to introduce, on first reading, Bill No. _____, an ordinance amending the Carson City Municipal Code Title 2, Administration and Personnel, Chapter 2.34 Code of Ethics for Elected and Appointed Officials by repealing the entire chapter, and other matters properly related thereto.

Explanation for Recommended Board Action: See above.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 2.34

Fiscal Impact: None

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: N/A

Supporting Material: Ordinance

Prepared By: Lawrence A. Werner, P.E., P.L.S.

Reviewed By:

Marena Works DCM
(City Manager)

Date: 11/25/13

[Signature]
(District Attorney)

Date: 11/25/13

Nancy Paulson
(Finance Director)

Date: 11/25/13

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)

ORDINANCE NO. _____

BILL NO. _____

AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 2, ADMINISTRATION AND PERSONNEL, CHAPTER 2.34 CODE OF ETHICS FOR ELECTED AND APPOINTED OFFICIALS BY REPEALING THE ENTIRE CHAPTER, AND OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF SUPERVISORS OF CARSON CITY DO ORDAIN:

Section I: Title 2, Chapter 2.34 of the Carson City Municipal code is hereby repealed as follows:

~~[Chapter 2.34—CODE OF ETHICS FOR ELECTED AND APPOINTED OFFICIALS~~

Sections:

- ~~2.34.010—Purpose and intent.~~
- ~~2.34.020—Definitions.~~
- ~~2.34.030—Duties of the Carson City clerk.~~
- ~~2.34.040—Filing by candidates.~~
- ~~2.34.050—Information required.~~
- ~~2.34.070—Conflict of interest—Elected officials, committees and commissions.~~
- ~~2.34.080—Conflict of interest—Appointed employees.~~
- ~~2.34.090—Violation—Reconsideration of vote.~~
- ~~2.34.095—Unauthorized disclosure of confidential or proprietary information.~~
- ~~2.34.100—Violation—Penalties.]~~

Section II: Title 2, Chapter 2.34 of the Carson City Municipal Code is hereby repealed as follows:

~~[2.34.010—Purpose and intent.~~

~~1. The Carson City board of supervisors finds and declares as follows:~~

~~a. The people of Carson City have a right to expect from their elected and appointed representatives at all levels of government assurances of the utmost in integrity, honesty and fairness in their dealings;~~

~~b. The people of Carson City further have a right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives, and of candidates of those offices, present no conflict of interest between the public trust and private gain; and~~

~~c. The representative form of government is founded upon a belief that those entrusted with the offices of government have nothing to fear from full public disclosure of their business holdings as they pertain to the business before the Carson City board of supervisors.~~

~~2. The Carson City board of supervisors intends to sustain, to the extent necessary, public confidence in government at all levels by assuring the people of the impartiality and honesty of their officials in all governmental transactions and decisions.~~

~~3. The provisions of this chapter are to be construed liberally, to the end that the public interests are fully protected.~~

~~4. The provisions of the Nevada Revised Statutes which conflict with this chapter or which impose greater standards shall supersede the provisions of this chapter.~~

~~5. Nothing in this chapter is meant to relieve a person from complying with any and all applicable provisions of state law concerning conflicts of interest and campaign practices.~~

~~2.34.020 — Definitions.~~

~~For the purposes of this chapter, certain words and phrases are defined and certain provisions shall be construed as hereinafter set forth unless it is apparent from the context that a different meaning is intended. Whenever any words and phrases used in this chapter are not defined in this section but are defined in the state laws regulating such matters, any such definition therein is deemed to apply to such words and phrases used in this chapter.~~

~~1. "Appointed official" means salaried employees of the city, other than elected officials and temporary employees, who are not subject to the city's merit personnel system as established in Section 2.330 of the City Charter. These include, without limitation, the city manager and persons appointed by elected officials.~~

~~2. "Business entity" means any organization or enterprise operated for economic gain, including, but not limited to, a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.~~

~~3. "Campaign contributions" means all donations of money, subscriptions, pledges, loans, conveyances, deposits, payments, transfers or distribution of money from all sources or any other matter set forth in NRS 294A.007.~~